

REMARKS

Claims 1-11 and 21-24 were pending in the application. By this paper, claims 1, 10, and 21-24 have been amended, new claims 25 and 26 have been added, and claims 1-11 and 21-26 remain pending. The specification has been amended to correct minor informalities. The applicant acknowledges with appreciation the indication of the allowability of the subject matter of claims 7 and 22. Claim 7 has been rewritten in independent form as new claim 25 to include the subject matter of previously presented claims 1 and 5-7. Claim 22 has been rewritten in independent form as new claim 26 to include the subject matter of previously presented claims 21 and 22. Independent claims 1 and 21 remain pending and the applicant believes that, with the amendments, claims 1 and 21 are allowable. Claim 10 has been amended to correct a minor grammatical error. Claims 22 and 23 have been amended to depend from claim 21. Reconsideration and withdrawal of the rejections are hereby respectfully solicited in view of the foregoing amendments and the following remarks.

Claim Rejections - 35 U.S.C. §102

Claims 1-6, 8-11, 23, and 24 have been rejected as being unpatentable in view of Takahashi et al. U.S. Patent No. 4,953,887 (Takahashi). The action states that Takahashi discloses a latch mount (unnumbered as shown in Fig. 1) coupled to a rear cross member of the basket frame. On page 5, the action explains that the word "couple" is read as something "that joins or links two things together." In view of this reading the action further explains that the unnumbered latch mount of Takahashi is "coupled" to the rear cross member of basket frame (81) through basket (82). Claims 1 and 24 have been amended to recite that the latch mount is directly mounted on the rear cross member of the basket frame. This is clearly shown and described in the applicant's drawings and description. Takahashi clearly does not disclose a latch mount directly mounted on the rear cross member of the basket frame. Therefore, the applicant respectfully submits that claims 1 and 24, and all claims dependent therefrom, are allowable.

Claim 21 has been rejected as being unpatentable in view of the same Takahashi reference. The applicant is confused as to why claim 21 was not included in the rejection of claims 1-6, 8-11, 23, and 24 under the same prior art. The applicant is further confused by the action's pointing to Figs. 3-5 of Takahashi to show the open and closed positions of the basket.

Figure 3 of Tahahashi shows an enlarged, detailed side-elevation of the connection between a holder (10) and an engaging portion (9). Figures 4 and 5 of Takahashi show exploded views of the holder (10) and engaging portion (9). In view of this confusion the applicant is unable to adequately and fully respond to the outstanding rejection of claim 21. Should the Office maintain this rejection of claim 21, the applicant requests withdrawal of the finality of the action to give the applicant an opportunity to respond and to narrow the issues for appeal, if necessary. The applicant submits that Takahashi does not disclose a basket directly mounted on the stroller frame to move downward from the basket frame and forward relative to the rear of the basket frame to an open position as claimed.

Claim 21 has also been rejected as anticipated under §102(e) by Turner et al. U.S. Application No. 2002/0109321 (Turner). The action states that Turner discloses a basket that is movable relative to the basket frame between an open position and a closed position. Although not fully explained, the applicant assumes that the action refers to side walls (72) and rear wall (74) that form a small cavity (72) as equated to that portion of the basket that moves relative to the basket frame between open and closed positions as claimed. Claim 21 has been amended to recite that the basket is directly mounted on the stroller frame to move downward from the basket frame and forward relative to the rear of the basket frame to an open position. This is shown in the applicant's Figs. 2 and 4, where the basket is connected to the stroller frame at pivot (P). In Turner, the movable portion of the basket, i.e., side walls (72) and rear wall (74), are attached to the basket itself and not directly to the stroller frame as claimed. The applicant submits that claim 21 is allowable over Turner.

No new matter has been presented with this amendment. The applicant respectfully requests entry of this amendment and allowance of the pending claims.

CONCLUSION

Claims 1-11 and 21-26 are believed to be in condition for allowance. Entry and consideration of this paper, and allowance of the claims, are respectfully solicited.

The examiner is invited to contact the undersigned at the telephone number listed below in order to discuss any remaining issues or matters of form that will place this case in condition for allowance.

No fee is believed due at this time.

Respectfully submitted,



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